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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/769,939	01/26/2001	Brian Edward Calvert	PF01763NA	5499
20280 7590 09/11/2007 MOTOROLA INC 600 NORTH US HIGHWAY 45 ROOM AS437 LIBERTYVILLE, IL 60048-5343			EXAMINER CHO, UN C	
			ART UNIT 2617	PAPER NUMBER
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

09/769,939

Applicant(s)

CALVERT ET AL.

Examiner

Un C. Cho

Art Unit

2617

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 13 June 2007.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1,4,6-22,24-36,38 and 40-42 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1,4,6-22,24-36,38 and 40-42 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- ☒ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☐ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____
- ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- ☐ Notice of Informal Patent Application
- ☐ Other: _____

DETAILED ACTION

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1, 4, 6 – 8, 11 – 14, 16, 22, 24 – 26, 32, 33, 36, 38, 40 – 42 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kawamoto (US 7,031,729 B2) in view of Kimoto et al. (US 7,236,797 B2)

Regarding claim 1, Kawamoto discloses receiving from a requesting device a request for a geographical location of the communication device (Kawamoto: Col. 7, lines 3 – 18); determining an approximate geographic location of the communication device; transmitting to the communication device, based on the approximate geographic location, a map of an area that includes the approximate geographic location of the communication device (the server determines the portable terminal's location and transmits to the portable terminal a map of an area including the location of the portable terminal; Kawamoto: Col. 8, lines 25 – 37).

However, Kawamoto as applied above does not specifically disclose receiving from the user input device of the communication device an indication on the map of the more accurate geographic location; and conveying the more accurate geographic location to the requesting device. In an analogous art,

Kimoto remedies the deficiencies of Kawamoto by disclosing such limitation wherein the user of the communication device submits a demand for information of a map, information of facilities on the map or a service program through the display unit then the information center retrieves the requested information and is transmitted back to the mobile terminal (Kimoto: Col. 31, lines 34 – 67).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to provide the technique of Kimoto to the system of Kawamoto in order to provide a user-friendly interactive system that not only displays map information indicating the current position of the mobile terminal but also information or a service relating to a position of the mobile terminal such as facilities on the map or a service program to better guide the actions of the user of the mobile terminal.

Regarding claim 4, Kawamoto in view of Kimoto as applied above discloses wherein the requesting device is the communication device (portable terminal; Kawamoto: Col. 7, lines 3 – 18).

Regarding claim 6, Kawamoto in view of Kimoto as applied above discloses wherein the step of receiving the more accurate geographic location comprises the step of receiving information identifying a location of the communication device on the map (Kawamoto: Col. 8, lines 25 – 37 and Kimoto: Fig. 6; Col. 31, lines 58 – 67).

Regarding claim 7, Kawamoto in view of Kimoto as applied above discloses wherein the information identifying a location of the communication

device on the map comprises a modified representation of the map indicating the location of the communication device (Kawamoto: Figs. 7 and 8; Col. 8, line 38 through Col. 9, line 3).

Regarding claim 8, Kawamoto in view of Kimoto as applied above discloses wherein the information identifying a location of the communication device on the map further comprises textual information and graphical information further identifying the location of the communication device (Kawamoto: Figs. 7 displaying the word "present position" with a circle having a dot within; Col. 8, lines 38 – 53).

Regarding claim 11, Kawamoto in view of Kimoto as applied above discloses wherein the step of transmitting further comprises the step of transmitting to the communication device a textual description of an area that includes the approximate geographic location of the communication device (Kimoto: Col. 34, line 62 through Col. 36, line 15).

Regarding claim 12, Kawamoto in view of Kimoto as applied above discloses transmitting a request to the communication device for the approximate geographic location; and receiving the approximate geographic location from the communication device responsive to the transmitted request (Kawamoto: Col. 7, lines 3 – 18 and Col. 8, lines 25 – 37).

Regarding claim 13, Kawamoto in view of Kimoto as applied above discloses conveying a map to the target device, wherein the map indicates the more accurate geographic location (the user of the communication device

submits a demand for information of a map, information of facilities on the map or a service program through the display unit then the information center retrieves the requested information and is transmitted back to the mobile terminal; Kimoto: Col. 31, lines 34 – 67).

Regarding claim 14, Kawamoto in view of Kimoto as applied above discloses conveying a textual description of the more accurate geographic location to the requesting device (Kimoto: Col. 34, line 62 through Col. 36, line 15).

Regarding claim 16, Kawamoto in view of Kimoto as applied above discloses determining a location of the target device (Kawamoto: Col. 7, lines 3 – 18 and Col. 8, lines 25 – 37); and conveying supplemental information related to both the location of the target device and the more accurate geographic location of the communication device to the target device (Kimoto: Col. 31, lines 34 – 67).

Regarding claims 22 and 25, the claims are interpreted and rejected for the same reason as set forth in claim 1.

Regarding claim 24, Kawamoto in view of Kimoto as applied above discloses displaying the map to the user (Kawamoto: Col. 7, lines 3 – 18 and Col. 8, lines 25 – 37 and Kimoto: Col. 31, lines 34 – 67 and Fig. 6).

Regarding claim 26, the claim is interpreted and rejected for the same reason as set forth in claim 7.

Regarding claim 32, Kawamoto in view of Kimoto as applied above discloses receiving a map of an area that includes an approximate geographic

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location of the communication device (Kawamoto: Col. 7, lines 3 – 18); and storing the map in a memory of the communication device (Kawamoto: Col. 8, lines 25 – 37); wherein the step of displaying comprises the step of automatically displaying the map responsive to receiving the request and wherein the step of receiving the accurate geographic location comprises the step of receiving an indication on the map corresponding to a location of the communication device (Kimoto: Col. 34, line 62 through Col. 36, line 15).

Regarding claims 33, 36 and 41, the claims are interpreted and rejected for the same reason as set forth in claim 22.

Regarding claim 38, the claim is interpreted and rejected for the same reason as set forth in claim 24

Regarding claim 40, Kawamoto in view of Kimoto as applied above discloses wherein the user input device comprises at least one of a keypad, a computer mouse, a touchpad, a touchscreen, a trackball, and a keyboard (Kawamoto: Col. 7, lines 3 – 18).

Regarding claim 42, the claim is interpreted and rejected for the same reason as set forth in claim 40.

3. Claims 9, 10, 27 – 30 and 35 are rejected under 35 U.S.C. 103(a) as being unpatentable over the Kawamoto in view of Kimoto as applied to claim 1 above, and further in view of Ellis et al. (US 5,699,255).

Regarding claim 9, Kawamoto in view of Kimoto as applied above does not specifically receiving information identifying a second approximate location of the communication device on the map and a request for a second map corresponding to an area that includes the second approximate location, the second map being of a higher resolution than the map of the area that includes the approximate geographic location of the communication device, and wherein the method further comprises the step of transmitting the second map of the communication device. In an analogous art, Ellis remedies the deficiencies of the Kawamoto in view of Kimoto by disclosing such limitation whereas the user is able to select desired resolution level by transmitting a request to the communication system and can also zoom in or zoom out according to the user's needs and based on the request a new map is transmitted back to the user (Ellis: Col. 7, line 11 through Col. 8, line 56). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to provide the technique of Ellis to the modified system of Kawamoto in view of Kimoto in order to provide a user friendly and cost effective navigation system that is capable of tailoring location information provided to a user in conjunction with a GPS over a large area.

Regarding claim 10, Kawamoto in view of Kimoto and further in view of Ellis as applied above discloses receiving information from the user input device identifying a location of the communication device on the second map (Ellis: Col. 8, lines 21 – 51).

Regarding claim 27, the claim is interpreted and rejected for the same reason as set forth in claim 9.

Regarding claim 28, Kawamoto in view of Kimoto and further in view of Ellis as applied above discloses transmitting the second approximate location of the communication device and the request for the second map (Ellis: Col. 7, line 11 through Col. 8, line 56).

Regarding claim 29, Kawamoto in view of Kimoto and further in view of Ellis as applied above discloses receiving the second map; displaying the second map to the user; and receiving, from the user input device, an indication on the second map corresponding to a location of the communication device to produce the accurate geographic location of the communication device (Ellis: Col. 7, line 11 through Col. 8, line 56).

Regarding claim 30, Kawamoto in view of Kimoto and further in view of Ellis as applied above discloses transmitting a modified representation of the second map that includes the indication corresponding to the location of the communication device (Ellis: Col. 7, line 11 through Col. 8, line 56).

Regarding claim 35, Kawamoto in view of Kimoto and further in view of Ellis as applied above discloses determining an approximate geographic location of the communication device; transmitting to the communication device, based on the approximate geographic location, at least a request for a more accurate geographic location of the communication device (the server determines the portable terminal's location and transmits to the portable terminal a map of an

area including the location of the portable terminal; Kawamoto: Col. 8, lines 25 – 37); receiving from the user input device of the communication device the more accurate geographic location; and conveying the more accurate geographic location to a target device (the user of the communication device submits a demand for information of a map, information of facilities on the map or a service program through the display unit then the information center retrieves the requested information and is transmitted back to the mobile terminal; Kimoto: Col. 31, lines 34 – 67); receiving, from the user input device, an indication on the first map corresponding to a second approximate geographic location of the communication device, the second approximate geographic location being more accurate than the first approximate geographic location; conveying the second approximate geographic location and a request for a second map to the system infrastructure; receiving the second map from the system infrastructure, the second map corresponding to an area that includes the second approximate geographic location and being of a higher resolution than the first map; displaying the second map on the communication device; receiving from the user input device, an indication on the second map corresponding to a location of the communication device; and conveying the location of the communication device to the system infrastructure for subsequent delivery to the target device (Ellis: Col. 7, line 11 through Col. 8, line 56).

4. Claims 15, 17 – 21, 31 and 34 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kawamoto in view of Kimoto as applied to claim 1 above and further in view of Chern (US 2003/0060211 A1).

Regarding claim 15, Kawamoto in view of Kimoto as applied above does not specifically disclose indicating a height of the communication device. In an analogous art, Chern remedies the deficiencies of Kawamoto in view of Kimoto by disclosing such limitation wherein a height of the communication device is indicated (Chern: Page 3, Paragraph 0040, lines 1 – 13). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to provide the technique of Chern to the modified system of Kawamoto in view of Kimoto in order to provide a location based information retrieval system that efficiently delivers accurate location onto the handset in the form of a map so that the user can easily and visually identify its location.

Regarding claim 17, Kawamoto in view of Kimoto and further in view of Chern as applied above discloses wherein the supplemental information is based on a distance between the communication device and the target device (driving distance and direction; Chern: Page 3, Paragraph 0044, line 1 through Paragraph 0045, line 11 and Page 5, Paragraph 0062, line 1 through Paragraph 0065, line 15 and Kawamoto: Figs. 7, 8 and 11).

Regarding claim 18, Kawamoto in view of Kimoto and further in view of Chern as applied above discloses wherein the supplemental information comprises at least one of a city, a state, and a country when the communication

device is located a substantial distance from the target device (destination address includes city and/or state information as well; Chern: Page 3, Paragraph 0044, line 1 through Paragraph 0045, line 11 and Page 5, Paragraph 0062, line 1 through Paragraph 0065, line 15).

Regarding claim 19, Kawamoto in view of Kimoto and further in view of Chern as applied above discloses wherein the supplemental information comprises at least one of directions to the more accurate geographic location of the communication device from the location of the target device, an approximate distance between the more accurate geographic location of the communication device and the location of the target device, and an approximate commute time between the location of the target device and the more accurate geographic location of the communication device (the user of the handset is provided with choices such as shortest possible route, interstate route, safest route, most scenic route, etc. whereas each one of those choices is an indication of how long the trip will take and is up to the user of the handset to choose the best route according to the situation the user is in and the server will perform route calculation and conveys the information to the user accordingly; Chern: Page 3, Paragraph 0044, line 1 through Paragraph 0045, line 11 and Page 5, Paragraph 0062, line 1 through Paragraph 0065, line 15 and Kawamoto: Figs. 7, 8 and 11).

Regarding claim 20, Kawamoto in view of Kimoto and further in view of Chern as applied above discloses prior to the step of transmitting at least a request determining whether the approximate geographic location of the

communication device is different than a previous approximate geographic location of the communication device; and when the approximate geographic location of the communication device is different than a previous approximate geographic location of the communication device, automatically transmitting a map to the communication device, wherein the map corresponds to an area including the approximate geographic location of the communication device (Chern: Page 6, Paragraph 0074, lines 1 – 21 and Page 4, Paragraph 0053, lines 1 – 14).

Regarding claim 21, Kawamoto in view Kimoto and further in view of Chern as applied above discloses receiving information from the user input device identifying a location of the communication device on the map (Chern: Page 4, Paragraph 0052, line 1 through Paragraph 0053, line 14 and Kimoto: Col. 34, line 62 through Col. 36, line 15).

Regarding claims 31 and 34, the claims are interpreted and rejected for the same reason as set forth in claim 15.

Response to Arguments

5. Applicant's arguments with respect to claims 1, 4, 6 – 22, 24 – 36, 38 and 40 – 42 have been considered but are moot in view of the new ground(s) of rejection.

6. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP

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§ 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.


Any inquiry concerning this communication or earlier communications from the examiner should be directed to Un C. Cho whose telephone number is (571) 272-7919. The examiner can normally be reached on M ~ F 8:00AM to 4:30PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, George Eng can be reached on (571) 272-7495. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Un C Cho
Examiner
Art Unit 2617

8/31/07 *UC*


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